



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

152

CRM-M-58508-2025
Decided on : 16.03.2026

Sunil Kumar @ Manish Kumar . . . Petitioner(s)

Versus

State of Haryana and another . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Monika Khatri, Advocate
for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Jainainder Saini, Advocate
for respondent No.2.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sunil Kumar @ Manish Kumar	343	22.09.2024	406, 420 & 506 of IPC, 1860	Adampur	Hisar

2. The case set up by the prosecution is that the FIR in question was registered on the complaint of Telu Ram, wherein it was alleged that he, along with his family members and relatives, had been getting jewellery prepared from ‘New Shanti Jewellers’, which was earlier being run by Vijay Kumar for more than 10 years. After the death of Vijay Kumar, Ankit Soni



became its proprietor, whereas the present petitioner started running another shop in the name and style of 'Shri Arjun Jewellers'.

It is alleged that the complainant had paid a total amount of Rs.16,70,000/- to the present petitioner and Ankit Soni for preparation of jewellery. However, thereafter, both of them allegedly closed their shops for about 10 months and refused to return the said amount, thereby cheating the complainant. On these allegations, the present FIR came to be registered.

3. Learned counsel for the petitioner submits that the investigation in the present case has already been completed and the petitioner is inside the jail for more than a period of 07 months and 10 days. It is further submitted that no recovery of any kind is to be effected from the petitioner.

Further submits that whether the allegations are true or false is yet to be determined by the trial Court and even the alleged payment of Rs.16,70,000/- is required to be proved by the prosecution in accordance with law.

It is also submitted that the process of recording statements of prosecution witnesses has not yet commenced. Further, all the offences alleged are triable by the Court of the learned Magistrate.

Therefore, in view of the aforesaid facts and circumstances, learned counsel prays for grant of concession of regular bail to the petitioner.

4. On the other hand, learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner, in connivance with co-accused, has allegedly duped the complainant of a substantial amount of Rs.16,70,000/-. It is contended that the allegations pertain to a serious economic offence involving breach of trust and cheating.



It is further submitted that in case the petitioner is released on bail, there is every likelihood that he may influence the complainant and other prosecution witnesses or may tamper with the evidence. Therefore, keeping in view the gravity of the offence, petitioner does not deserve any leniency. However, other factual assertions made here-above, have not been disputed by learned State counsel.

5. Learned counsel appearing on behalf of the complainant, while opposing the prayer for bail, submits that the petitioner, in connivance with co-accused, has cheated the complainant of a substantial amount of Rs.16,70,000/- on the pretext of preparing jewellery. It is contended that the amount involved is quite huge and the conduct of the petitioner clearly reflects dishonest intention from the very inception.

It is further submitted that there is every likelihood that in case the petitioner is released on bail, he may influence the complainant and other prosecution witnesses or may evade the process of law. Learned counsel, thus, prays for dismissal of the present petition.

6. I have heard learned counsel for the parties as well as learned counsel for the complainant and have perused the relevant material available on record.

7. At this stage, without commenting upon the merits of the case, it is noticed that the investigation in the present case has already been completed and the petitioner is inside the jail for a period of more than 07 months and 10 days. It is also not disputed that no further recovery is to be effected from the petitioner.

It is further matter of record that the process of recording of



statements of prosecution witnesses has not yet commenced and thus, trial is likely to take considerable time to conclude. The offences alleged are triable by the Court of the learned Magistrate.

The question as to whether the alleged amount of Rs.16,70,000/- was actually paid by the complainant and whether the ingredients of the offences are made out or not, are matters to be adjudicated upon by the trial Court on the basis of evidence led by the parties.

8. Keeping in view the period of incarceration, the stage of trial, the nature of allegations, and without expressing any opinion on the merits of the case, this Court is of the considered view that no useful purpose would be served by keeping the petitioner inside the jail for an indefinite period. Accordingly, this Court deems it a fit case for grant of concession of regular bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in



accordance with law.

11. Petition stands **disposed of**.

Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

March 16, 2026
J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*